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# الجمعية العامة مجلس الأمن



مجلس الأمن  
السنة الخامسة والسبعون

الجمعية العامة  
الدورة الرابعة والسبعون  
البند 98 (م) من جدول الأعمال  
نزع السلاح العام الكامل: تنفيذ اتفاقية حظر استحداث  
 وإنتاج وتخزين واستعمال الأسلحة الكيميائية وتدمير  
 تلك الأسلحة

رسالتان متطابقتان مؤرختان 4 شباط/فبراير 2020 موجهتان إلى الأمين العام ورئيس  
 مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

يشرفني أن أحيل طيه موجزا للمحتوى الرئيسي لاجتماع أعضاء مجلس الأمن وفق صيغة "آريا"  
 المعقود في 20 كانون الثاني/يناير 2020، مشفوعا بنسخ من البيان الذي أدلى به الممثل الدائم للاتحاد  
 الروسي لدى منظمة حظر الأسلحة الكيميائية، ألكسندر شولغن، والبيان الذي أدلى به عضو سابق في  
 هيئة التفتيش التابعة للأمانة الفنية لمنظمة حظر الأسلحة الكيميائية، إيان هندرسون، ونسخة من رسالة  
 موجهة من منظمة Courage Foundation إلى الأمين العام للأمم المتحدة (انظر المرفقات)\*.

وأرجو ممتنا تعميم هذه الرسالة ومرفقاتها باعتبارها وثيقة من وثائق الجمعية العامة، في إطار  
 البند 98 (م) من جدول الأعمال، ومن وثائق مجلس الأمن.

(توقيع) ف. نيبنزيا

\* تعمّم المرفقات باللغة التي قدّمت بها فقط.



الرجاء إعادة استعمال الورق

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المرفق الأول للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

**United Nations Security Council Arria-Formula Meeting  
Implementation of UNSCR 2118: OPCW FFM Report on Douma  
20 January 2020**

**Moderator's Summary of the Discussion**

1. On 20 January 2020 the Russian Federation convened an Arria-Formula meeting to discuss the situation surrounding the OPCW Fact-Finding Mission Report on the alleged use of chemical weapons in Douma, Syrian Arab Republic, on 7 April 2018. The proposed focus areas of the discussion were: 1) international responsibilities to uphold the Chemical Weapons Convention; 2) ensuring the integrity of Fact-Finding Missions as well as the protection of the independent status of their personnel; 3) examine and recommend measures of accountability in cases where the independent status of Fact-Finding Missions was violated and/or its individual members were persecuted for the diligent fulfillment of their relevant mandates. The meeting was moderated by Ambassador Vassily Nebenzia, Permanent Representative of the Russian Federation to the United Nations.

2. Ambassador Alexander Shulgin, Permanent Representative of the Russian Federation to the OPCW elaborately outlined the evolution of the developments in the Hague around the FFM Douma Report and in particular the irregularities pertaining to the document that surfaced after it had been published. Some of those irregularities amounted to: suppression of information; direct involvement of a State Party into the investigation process; suspension of almost all the FFM experts who visited Douma from drafting of the report. Summarily all these actions were carried out to fit a certain narrative and could be an indication of a serious misconduct on the Part of the Technical Secretariat. He noted that a group of prominent scientists, public figures, experts, including the first Director General of the OPCW, Jose Bustani, sent a collective letter to all the States Parties to the CWC in which they stressed the urgent need to restore public trust in the OPCW in view of the recent disclosures. He further called on responsible States, and in particular, the UN Security Council members, to draw conclusions from the situation around the Douma report in order to prevent similar situations in the future that might lead to unpredictable consequences.

3. Mr. Ian Henderson, former OPCW inspection team leader and member of the FFM team deployed to Douma, expressed his concern, which was shared by a number of other OPCW inspectors, in relation to the subsequent management lockdown and the practices in the later analysis and compilation of a final report on the incident of alleged use of chemical weapons in Douma. In particular he pointed out that in July 2018 all the inspectors who had been on the FFM team deployed to locations in Douma and had been following up with their findings and analysis were essentially dismissed from further work on the incident. As a result the findings in the Final FFM Report were contradictory and a complete turnaround with what the team had understood collectively during and after the Douma deployments. In particular, by the time of release of the interim report in July 2018, the team's understanding was that there were serious misgivings that a chemical attack had occurred. He stressed that he is not a whistleblower and continues to hold the OPCW in the highest regard, as well as the professionalism of the staff members who work there. As to the situation pertaining to the Douma Final Report, it is his belief it needs to be properly resolved

through the rigors of science and engineering. A more detailed statement depicting the situation in the OPCW around the Douma report was circulated to Member States.

4. Mr. Maxim Grigoriev, Head of the “Foundation for the Study of Democracy”, briefed on the results of his own independent investigation of the incident of alleged use of chemical weapons in Douma. Based on testimonies from 15 witnesses from the Douma Hospital, which were filmed as alleged victims of the attack, 10 residents from the house where the alleged attack took place and further 300 residents in the vicinity of one kilometer from the location of the incident provided undisputable proof that no chemical weapons were used in Douma on 7 April 2018. He further elaborated that all the witnesses from the Hospital refuted their “rescue” by the “White Helmets” as was shown in a video released in open sources shortly after the alleged incident took place. This was further corroborated by hospital records and personnel. The residents of the house where the alleged attack occurred on 7 April 2018 testified that they have neither seen a chemical attack nor experienced its symptoms despite staying there all day throughout the incident. Moreover, none of the residents from the house in question nor within a one kilometer vicinity from it recognized any of the alleged victims of the incidents. A corresponding letter with the results of the investigation was sent to the attention of the Secretary-General.

5. Ambassador Bashair Jafaari, Permanent Representative of the Syrian Arab Republic to the United Nations, asserted that his country has not used any chemical weapons previously and does not have the capability of using them now, because it does not possess them and considers their use contrary to its moral and international obligations. He described the recent information that surfaced in connection with the Douma report as proving a deliberate manipulation of evidence, falsification of facts, lack of professionalism, credibility and adherence to the agreed terms of reference on the part of the OPCW FFM. He called on the OPCW to reconsider its position on the report and recognize that the conclusions in it were wrong. He further raised concerns that a joint proposal by Russia and Syria to hold a closed meeting in the Hague with the FFM team was rejected by the Technical Secretariat. He also pointed out that it is now clear that some Governments were trying to use false allegations and lies related to WMDs in order to find a pretext for conducting an act of aggression and repeat in Syria what has previously happened in Iraq.

6. In the debate that followed 22 delegations took the floor to express their view on the focus area of the meeting. Speakers expressed their support to the work of the OPCW. Many delegations stressed that due to the nature of its work the Organization must be above reproach, anything less erodes trust, undermines its efforts and renders it ineffective. Therefore the OPCW bears the responsibility of ensuring that all facets and activities of its work are impartial, transparent and not politicized. Some delegations shared their concern with the leaks that indicated possible malpractices in the OPCW and stressed the need to suppress such information from being disseminated through reinforcing security measures for the OPCW. A number of delegations dismissed any discussion on the focus areas of the meeting alleging that it is part of a “disinformation campaign”.

المرفق الثاني للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

**Statement by the Permanent Representative of Russia to the OPCW Alexander Shulgin at an Arria-formula meeting of UNSC member states “Implementation of UNSCR 2118: OPCW FFM Report on Douma”**

Distinguished Mr. Chairman,

Your Excellencies,

Ladies and Gentlemen,

Our meeting is dedicated to the final report of the OPCW Fact Finding Mission in Syria (FFM) regarding the incident in Douma, on April 7, 2018.

This matter is being discussed by the UN Security Council members due to the fact that the relevant events directly affect issues of peace and international security, and, therefore, fall within the competence of the Security Council.

Many of those present in this room probably remember the disturbing ambience early April 2018. The United States was preparing to launch its, as they claimed, “smart missiles” against Syria, and the Russian military warned that they were ready to destroy not only these missiles, but also their launchers if the Russian troops invited by the legitimate Syrian authorities were under threat. Older people unintentionally recalled in this regard the charged atmosphere of the Cuban Missile crisis.

It is a direct duty of responsible states, in particular, of the UN Security Council members, to understand what happened in Douma, to draw conclusions to prevent similar situations in the future that might lead to unpredictable consequences.

Unfortunately, we have strong reasons to believe that the investigation of the incident conducted by the relevant international organization for the prohibition of chemical weapons (OPCW) by means of its specially created Fact Finding Mission in Syria (FEM) leaves much to be desired.

To gain a better understanding of the situation, let me briefly remind you of the events that followed the reports in Western media about the so-called chemical attack in Douma.

The whole story started with another video of the White Helmets about provision of first aid to victims of chemical attack in Douma. It was continuously broadcasted by major Western TV channels, agitating people all around the world by bone-chilling stories about a new crime of the Syrian “regime” (in Western terminology).

The United States, as well as France and the Great Britain, seized with righteous anger, unleashed their missiles against Syria on the night of April 13–14, without waiting for the proper OPCW investigation, as an act of retaliation.

But the seamless scenario performed after the Khan Shaykhun incident in April 2017 when the blame was automatically put on Damascus suddenly failed. Syrian government troops and the Russian military ended up in Douma within a few days after the so-called chemical attack. In hot pursuit they managed to find the Syrians captured on the notorious video of the White Helmets as victims of exposure to toxic

substances. It turned out that they were not poisoned, but rather they became involuntary extras of another provocation set up by the White Helmets. These 13 people, including the boy Hassan Diab, told the press about it during a special briefing at the OPCW headquarters on April 26, 2018. Afterwards, the ill-fated video footage of the White Helmets suddenly disappeared, and the Western media abstained from airing it. I would like to emphasize that the same happened with the memorable photos of allegedly poisoned children from Khan Shaykhun. There were photos, then they disappeared. It looks like one and the same algorithm of action.

Meanwhile, the OPCW FFM finally reached Syria and proceeded with investigation – with the full assistance of the Syrian authorities, that provided the necessary working conditions, and of the Russian military police ensuring physical security of the OPCW experts.

The investigation lasted for a long time. And a lot of issues looked strange.

For example, the Head of the FFM did not appear in Douma at all. Moreover, after only a few hours in Damascus, he departed to a neighboring country (in OPCW terminology), where he settled for the rest of the time, working, as we understand, with the Syrian armed opposition.

The samples collected in Douma lay as a dead weight in the central laboratory of the OPCW in Rijswijk, as if they were not necessary. Despite the established rules, these materials were not shared with the Syrian official authorities for a long time under the pretext of the laboratory assistants' workload and due to other difficulties.

At least, the report finally appeared on March 1, 2019 – almost one year after the incident. The testimony of the witnesses at the briefing in the OPCW headquarters – I mentioned them, the boy named Khasan and other witnesses – was completely ignored. Instead, the FFM relying on three “independent” analyses has come to the conclusion confirming use of chlorine as a chemical weapon. According to the report, chlorine cylinders were allegedly dropped from air. It is evident that such a conclusion immediately casted suspicion on the Syrian government forces, since on April 7 Douma was under control of the armed opposition. This conclusion differed from the observations of the Russian experts, who were convinced that the chlorine gas cylinders were brought into the premises by militants manually – for provocation. After making my statement, with permission of the President, I would like to show you several slides that illustrate this situation. Shortly before the start of the March session of the OPCW Executive Council (2019), it became known that the conclusion of the report contradicts the conclusions of the FFM members responsible for the engineering part of the investigation. Russia came out with a logical proposal to arrange a briefing with the participation of all the experts who took part in the investigation right during the Executive Council. Our proposal was declined: first, for formal procedural reasons, and then as a result of a vote provoked by the Americans. The thing is, the United States and its allies, as the American representatives explained, did not want to allow the revival of, and here I quote what the American representatives said at the Executive Council, “Stalin’s processes with intimidation and cross-examination” in the Hague. Running a little ahead, let me say that this is the only argument that we receive from our opponents, who do not wish to clarify the issue. Either they talk about disinformation and conspiracy theory, but in fact they can say nothing.

The Russian side kept trying to induce the OPCW Technical Secretariat to have a professional dialogue regarding what happened in Douma. During the visit of the Director General Fernando Arias to Moscow in April 2019, the Russian military handed him the collected profile with conclusions that at least differed from the report published last March by the FFM. He was asked to carefully study the document. The

Russian Federation then distributed its comments in the OPCW regarding the contents of the FM report on Douma. A similar analysis was done and transferred to the Technical Secretariat by Syrian Arab Republic. Neither us nor Syrians received any meaningful response – mere formal replies.

The quality of the FFM's work on the high-profile case in Douma concerned recognized experts and reputable scientists from several states. Some of them, known as members of the Professor P. Robinson's group, sent a number of requests to the Technical Secretariat. But they were also arrogantly recommended to re-read the FFM report, and their questions related to substance issues were left unanswered.

From our part, Russia invited the Technical Secretariat to publish the results of the ballistic and other examinations of three "independent" experts, that predetermined the conclusion on aerial bombing with chlorine cylinders. We were turned down once again: the OPCW claimed to ensure the personal security of those three specialists. Then we explained in another request that we were not interested in the personal data of these people, but rather in the way of their thinking and reasoning. After a long time, we received another negative answer with the same clichés about confidentiality. In the light of such a position of the Technical Secretariat, we, and other delegations, had a suspicion that, apparently, no examinations were conducted at all, and they were referred to just to pretend that the issue was studied comprehensively before the conclusion on aerial bombardment was made.

Against this background, Mr. Maxim Grigoriev, Head of the Russian "Foundation for the Study of Democracy", brought the results of his own investigation to the light. However he will put forward his findings himself, as he is present here in this room.

In the face of the escalating situation, the Technical Secretariat had to acknowledge that while preparing the Douma report, some dissenting opinions (one or two) were actually expressed. But it is claimed that at the end of the day the decisions were made collectively by the majority of the FFM members on the grounds of the collected information (apparently it was received not only at the scene of the incident, as the OPCW rules and the provisions of the CWC require, but rather in the camps of the armed Syrian opposition).

This version started falling apart when certain media (e.g. the British "Daily Mail" on November 24, 2019, the Fox News on November 25, 2019, "The Courage Foundation", etc.) published materials on new fraud revelations concerning the preparation of the aforementioned report.

It followed from the leaked internal correspondence, that the FFM interim report was recast in its full, and it was not clear who did it. The conclusions became opposite to the original ones. In short, the drafters of the report did not recognize their brainchild. Moreover, almost all the FFM experts who worked in Douma were suspended from drafting of the final report, i.e. an explicit forgery was carried out.

In such circumstances, a group of prominent scientists, public figures, experts, including the first Director General of the OPCW, Brazilian Jose Bustani, who got together as organization "The Courage Foundation" sent a collective letter to all the signatories to the CWC with a proposal to understand the situation challenging the authority of the OPCW.

During the Conference of the States Parties (principal organ of the OPCW) in November 2019, Russia and other countries called on the Technical Secretariat to listen to the voice of the international community and to organize a briefing of all the experts involved in the Douma investigation.

The silent Technical Secretariat was rescued by a group of Western states led by the United States. They renewed their boundless trust in the organ, in its dedicated professionals. But it is exactly the matter of trust that raises more and more questions. A new portion of documents published on the Wikileaks portal in late 2019 read that there were apparently many people among the FFM members who did not agree with the official conclusions of the report, not just one or two, as it was said by the OPCW, whereas we were told that those had been just a couple of different opinions against the vast majority of others who almost unanimously supported the findings of the FFM.

It is already evident that the FFM methods have to be brought into compliance with the requirements of the CWC: the experts should visit the places of alleged use of chemical weapons, take samples and other material evidence on their own, strictly observe the “chain of custody”, ensure fair geographical representation in the FFM, excluding predominance of Washington allies.

But the problem is that these same considerations are being rejected by the group of Western countries under the leadership of the United States. Situation reaches the point of absurdity: any comments on the work of the FFM are considered a libel and wrongful accusation of the dedicated professionals from the FFM and of the Director General Fernando Arias personally. On the same pretext, any suggestions made by a number of states to improve the working methods of the FFM are being rejected. In 2017, the Western group obstructed the Russian-Iranian initiative in this regard, that consisted in the adoption of an appropriate decision by the OPCW Executive Council.

In a word, we find ourselves in an impasse. The Technical Secretariat, inspired by the unequivocal support of the United States and its followers, is not going to do anything. There is apparently a hope that everything will be resolved by itself. But no, it will not. The so-called Investigation and Identification Team (IIT) that was created by the Technical Secretariat in breach of the CWC and in violation of the exclusive prerogatives of the UN Security Council was vested with attribution functions and is about to publish its reports. No matter what the Technical Secretariat might claim about taking into account dissenting opinions of “one or two employees of the FFM”, the official conclusion on the Douma incident (with accusations against official Damascus) will still outweigh and will be considered decisive. Other dubious reports of the FFM will be also used by the IIT. For example, the report prepared by the FFM with flagrant violations of the “chain of custody” regarding the incidents in Al-Ltamenah (March 24, 25 and 30, 2017), Sarakib (February 4, 2018), etc. All investigations there were conducted remotely based on the opinion of the opposition and questionable NGOs sponsored by the West. Meanwhile, previously extremely categorical judgments of the FFM regarding the accusations of Damascus become vague and unreasonable when it comes to the actions of militants about which inform the Syrian authorities (episode in the quarter 1070 in Aleppo in November 2016), etc.

The current situation with the disputable official report of the OPCW looks like an abscess. We cannot move forward until we eliminate it. How can we talk about trust to the Technical Secretariat and between the States Parties? In this regard, we propose to resolve the conflict by holding a briefing at the OPCW (with possible assistance of the States Parties) with the participation of all the FFM members who worked on the Douma report in order to come to a consensus regarding the incident in the Syrian town. It has to be done imperatively. An error committed regarding Douma and other incidents can have serious consequences for the stability and security in the world. Where, if not in the UN, the heart of the entire system of international relations, can we agree on possible joint actions, bearing in mind the UN Charter and the CWC?

One might think that Russia and other states focus their attention on the “oddities” of the FFM work (that are, frankly speaking, pure falsifications in favor of certain states) and therefore provoke the incessant confrontation in the OPCW. But actually it is the US and their allies that apply an array of confrontation tools. I was not surprised at all at the publication of the press office of the Permanent Mission of the UK to the UN. Again, we are accused of disinformation, of spreading lies, conspiracy theories, invectives against the OPCW. However, unlike our American and British colleagues who operate such confrontational terms, and unlike an American representative who at the conference of member states compared the Technical Secretariat to a granite cliff breaking waves of Russian storm, we are inclined to consider this administrative organ of the OPCW our common house, where, States Parties should feel comfortable, calm and address urgent issues in respectful manner with a view to reaching consensus. This is what the Director General of the Organization Fernando Arias constantly calls us for.

We hope that today’s informal meeting of the UN Security Council will make the responsible states understand the need to help the OPCW to overcome the difficulties, to stop the over-scale politicization, to tackle the tasks stipulated in the Convention, primarily related to the destruction of the stockpile of chemical weapons, as well as to the struggle with chemical terrorism.

From its part, Russia will do anything to achieve these goals, to revive a cohesive organization – to match its status as a recent Nobel Peace Prize laureate. To help achieve them, we will pass an address by activists and scientists from “The Courage Foundation” to the Secretary-General of the United Nations, this address containing an appeal to contribute to restoration of trust and normalization the situation in the OPCW.



المرفق الثالث للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

18 January 2020

### **Statement to a Meeting during the OPCW Conference of States Parties or to an Arria-formula Meeting of the UNSC**

*This statement is presented as a narrative that describes the experiences of an OPCW inspector, during and after the Fact-Finding Mission that deployed to Douma in the Syrian Arab Republic in response to the alleged chemical attack on 7 April 2018. The statement was prepared in response to requests from multiple delegations that advised the author that they needed input from him on the matter*

1. My name is Ian Henderson. I joined the OPCW in January 1997 as a trainee inspector in Group A prior to entry into force of the Convention, and was appointed Inspection Team Leader at the end of 1997. I left the OPCW at the end of 2005 to continue a career in chemical industry, and then re-joined as a “rehired” inspector in June 2016. I served as inspector/team leader until I was suspended from duty in mid May 2019. My professional background is primarily in chemical engineering, but includes military service in artillery and a period of work in weapon systems development and testing.
2. I have produced this statement to assist in an enquiry about what happened during the Douma FFM and the subsequent analysis and compilation of reports.
3. I deployed to the Syrian Arab Republic in April 2018, under a F038 notification to the government of the Syrian Arab Republic that advised I was joining the mission as a FFM team member.
4. I was subsequently involved in five deployments to Douma under the FFM mandate:
  - a. I provided the communications and technical backup during the visit to the “Warehouse” in Douma
  - b. I was the sub-team leader for the visit to the “Suspected CWPF” (also called the laboratory) in Douma
  - c. I was a team member for the visit to the hospital in Douma, and took part in taking chemical samples, interviewing medical staff, and the walk throughout the tunnels and medical rooms in the facility
  - d. I was sub-team leader for the second visit to Location 4 in Douma, specifically aimed at taking detailed measurements and assessing the scene
  - e. I was the sub-team leader for the visit to “Site 8”, to further inspect and photograph the cylinders removed from Locations 2 and 4, and to apply tags/seals to them
5. During the Douma FFM deployments the Command Post team leader (the so-called “liaison” function) was inspector XXXX. At the end of the FFM deployments to Douma, and after the other team members had returned to HQ, I received a handover from XXXX and thus took over the Command Post function. This handover

was conducted on 6 May 2018. Note however that the last deployment to inspect and tag/seal the two cylinders, was delayed and occurred at a later time, during the period of my assignment to the Command Post (CP) function.

6. After completion of my service as CP team leader, I returned to The Hague in early June 2018.

7. The last week of June saw the incident of “last-minute” unexpected modifications to the FFM Interim Report, contrary to the consensus that had been reached within the team. The report had been changed to reflect a conclusion that chlorine had been released from cylinders, as well as other significant changes in content. One of the FFM team members, XXXX, intercepted the modified text and reported this directly to the Chief of Cabinet. He was informed the changes did not come from the Office of the Director-General.

8. The FFM team was instructed to resume work and arrive at an interim report that reflected agreement amongst all team members. There was disagreement over the correct context of reporting analytical results, but FFM Alpha team leader, Sami Barrek, advised that he was entitled to make unilateral changes and did not require consensus. Apart from this issue, the text of the interim report was agreed and it was issued.

9. During last-minute discussions about the appropriate context of reporting analysis results in the then-corrected interim report, I was urged by a staff member who had been assigned as mediator, that “we have been told by the first floor that we have to make it sound like we found something”. I shall identify the staff member verbally, in his presence, should this be required.

10. In the “Summer Plan” issued by the team leader on 26 June 2018, I was tasked with the *Location and Munition* (cylinder) study, including “To review all data available on open- source or collected by the team”; and “To come up with a thorough analysis and assessment”.

11. All FFM team members were called to attend a briefing from a three-person US delegation on 5 July 2018, where they presented their findings that “proved” the alleged chemical attack and death of victims. I attended the briefing.

12. Over the summer period I worked together with other FFM team members in the 7th floor secure work area assigned to FFM Alpha. At that stage the only FFM personnel working there were the ones that had now been designated as “core team”. I did however continue with informal consultations with members of the FFM who had deployed to Douma. The core team announcement caused some confusion as, with the exception of one paramedic/HSS inspector, no FFM team members that had deployed to Douma were included in this so-called core team.

13. From the start I worked with SSA contractor XXXX, a former CWMS inspector, who had also been assigned to the “munition” study (despite being a SSA contractor, XXXX had also been assigned as a FFM core team member). Although he had not deployed to Douma (or to Country X), XXXX had compiled a good starting summary of data, information and photographs, and had prepared a preliminary analysis on the cylinders. We worked constructively together until I later became sidelined by the team leader. During this time, I progressed the analysis and developed a proposed methodology for ongoing work on an engineering and ballistic assessment of the two cylinders.

14. The main priorities in analysing and investigating the situation of the cylinders at Locations 2 and 4, included (i) to clearly organise the facts, i.e. what we had, what we understood and what we didn’t know; (ii) identify the work that we needed done by qualified experts in order to provide an understanding of what had happened; (iii) identify suitably-qualified international experts in these fields of study (such as

pressure vessel design, computational analysis, impact analysis, metallurgy, mechanical properties and ballistics); and (iv) develop scope-of-work documents that could be used to engage with potential vendors/contractors and for them to propose their methodology, and against which to provide their proposals and quotations to perform the work. This is how engineering work is controlled.

15. I shared my thoughts with FFM team members, both the core team (formally) and with some of the Douma team members, to ensure a continuous peer review to make sure we were on the right track. I developed the scopes of work and the list of qualified institutions, and provided these to the team leader for approval. He advised that they had gone to the “first floor” (Office of the Director-General), but I never received any response. This troubled me, as I was the only engineer working in this area, and the other team members (other than XXXX, whose input I valued) were analytical chemists and paramedics (Health & Safety Specialists). I considered it my responsibility to get the engineering work conducted properly.

16. In addition, at the end of the summer period when the team leader returned from holiday, I experienced some further difficulties, including: (i) I found there was a former FFM team leader, who was reportedly no longer associated with the current work, working within the FFM secure workspace (reportedly still completing a lessons-learned report). I reported this to the Head, Office of Confidentiality and Security, but nothing transpired. I later continued my work on the FFM engineering analysis in my secure office in the Inspectorate CBCP (Capacity Building and Contingency Planning Cell) area; (ii) I organised a meeting with an associate, a toxicologist from the Dutch Department of Defence. After setting up the meeting, briefing her and preparing to commence, I was informed by the team leader that I did not have clearance to take part in this activity and was instructed to leave; (iii) I was told that I no longer had access to any FFM materials because I had not been designated a “core team” member; (iv) I received more informal indications, mostly by being sidelined and ignored, that my input was simply not wanted (by the team leader); (v) I found that an external consultation with experts in my field of study was going to be held, by others, without informing me; and (vi) finally, I received an email from the team leader advising me essentially to stop work.

17. I related this to personal discomfort of the team leader with my continued involvement, perhaps because he viewed some of my suggestions as criticism of his methods, and to the earlier incident with the “modified” interim report. At this stage I developed early misgivings that, perhaps, there was no desire to have the engineering work conducted in the transparent, professional manner I had proposed, but did not yet share my concerns with any of the FFM team members.

18. I remained concerned about the approach of the FFM team leader. My main concern was that there was nobody within the team with the required knowledge and expertise to conduct the engineering study, in particular the generating and management of scopes of work for external experts, and the continuous assessment of their technical work. I held meetings with the Head of Operations and Planning, the Director of Inspectorate, and the Chief of Cabinet to inform them of my concerns. The Chief of Cabinet appeared to appreciate my concerns and was (I thought) sympathetic. He stated at the end of the meeting I held with him “I don’t see why both studies can’t be done”.

19. I took this as tacit approval to continue. I advised team members that I was going to complete the engineering analysis, with possible assistance in the provision of sophisticated engineering tools and computational platforms that the OPCW does not have. This was a responsibility I had taken on, and I intended to complete the work and, after peer review by FFM team members, submit it through the correct channels

to the FFM team leader for assessment together with all other work that was being carried out.

20. During this period, I submitted a request to the team leader, for the Douma FFM team members to be briefed or updated on the progress of the investigation. I asked whether any team members would be given an opportunity to review the report during its compilation. I repeated this request a number of times up to the time of issuance of the main FFM report (although, as a result of the secrecy around the FFM report, none of us in the Douma team had any knowledge of the status or timing of the planned issuing of the report), but all requests were declined or simply ignored.

21. I had finalised the project proposal documents and scopes of work, and generated a list of qualified external experts who could assist in the engineering study. I engaged with selected vendors, using secure encrypted transmissions and providing (at this stage) only unclassified open-source information, and obtained proposals. These included proposals from two consultants that appeared to be best-qualified to do the work; however, the team leader had advised that we would not work with private companies so I stopped that line of enquiry.

22. After further discussions with another two potential experts, I developed a final agreed scope of work and received a signed authorisation from the Director of Inspectorate, including an agreement with the assisting institutions on the technical scope of work and the handling of confidentiality. I provided a face-to-face briefing and handed over to them (certified by C-16) a package of technical information we had compiled for the execution of the work.

23. The work on engineering analysis of cylinders at Locations 2 and 4 continued during the period September 2018 to January 2019. During this time, I continued work within the TS in parallel with (and, where required, independent of) the work being conducted by the external experts, in particular with regard to the cylinder observed at Location 4. It was necessary to source the appropriate expertise, both from within the TS and, where necessary, from outside (using only non-classified materials), to build up an understanding on the situation. All work was peer-reviewed by Douma FFM team members who had deployed to the sites.

24. During this time, I maintained contact with XXXX and continued sharing views with him; however I did realise that his situation had become somewhat difficult with regard to the confusing situation with ongoing FFM analysis in this area. Not wishing to compromise his situation, I had to limit our work interactions. I did, however, have the impression that we were working towards the same conclusions throughout this entire period.

25. The engineering work was completed in January 2019, and I compiled the findings into a detailed executive summary. This was reviewed by Douma FFM team members, by the FFM “core team” CWMS former inspector (XXXX), and by a small number of other trusted TS staff members who had expertise in specific areas, on a “need to know” basis. The review was done by providing a controlled hard copy by hand to recipients, onto which they would write comments and return to me. This review was considered necessary and responsible, in that I knew (after the analysis had been completed) that these would be unpopular findings; therefore, I wanted to make sure there were no objections to any of the facts, observations, methodology used or findings reported in the summary.

26. On 26 February 2019 I met with the FFM Alpha team leader (Barrek) to hand over the report on my engineering analysis on the cylinders. He declined to take receipt of it, stating that he had been instructed not to accept it. I then tried to submit the report to the newly-appointed Head of FFM, Boban Cekovic, but he too advised

that he would not be the one to accept it, and suggested I hand it to the Chief of Cabinet.

27. The Chief of Cabinet was not in the building at that moment, and I was about to leave the office for a period of two days. I had no idea on the current status of the “main” FFM report, and nobody could (or would) provide any information on when it was planned to be finalised. I had heard rumours that the report was being drafted and “may soon be going to the first floor for review”, so although I couldn’t believe the report would be finalised without the findings from the engineering assessment, I was worried that there was the possibility of a misunderstanding. On 28 February 2019 I therefore deposited the engineering summary at the Document Registry (the secure archive) for collection, and informed all appropriate FFM management by email.

28. The Chief of Cabinet replied with an email in which he instructed “remove the document from the Registry, and remove all traces, if any, of its delivery and storage there”. He proposed a meeting to assess the situation and decide what to do with the document.

29. The report was collected from DRA by the Head of Operations, who had been instructed (by the Chief of Cabinet) not to read it. The Head of Operations deposited it in a secure document locker in his office, and it remained there, unread, until I collected it three weeks later.

30. At the end of that week, on the evening of Friday 1 March 2019, the FFM report on Douma was released by the TS. I was shocked by the decision to release the report without having taken into account the engineering report, as all the FFM management knew it had been submitted. I had expected the report to reflect the situation that had been the consensus of the Douma FFM team after the deployments, and for the assessment of the cylinders to be consistent with the findings of the engineering assessment, but found the complete opposite. I saw what I considered to be superficial and flawed analysis in the section on the cylinders at Locations 2 and 4.

31. In the weeks following the incident, I attempted to redress the situation internally in a way that would not damage the credibility of the TS. This included the following:

- I held discussions and meetings with the Chief of Cabinet, the (newly-joined) Director of Inspectorate, Head of Operations, Head of the Office of Confidentiality and Security, Director of the Office of Strategy and Policy, and the Acting Director of the Office of Internal Oversight.
- I requested a meeting with the Director-General, as I thought the situation was serious enough to warrant him being made aware of it. The request for meeting was denied and I was informed by a senior manager that “you will never get to the Director-General, and if you try and go around me to get to him, there will be consequences”. I shall identify the senior manager verbally, in his presence, should this be required.
- I drafted a memorandum to the Director-General, through the Director of Inspectorate. This was reviewed by the Chief of Cabinet and was not delivered to the DG.
- I deposited a dossier with the Acting Director of the Office of Internal Oversight, together with a memorandum requesting an investigation by OIO into the situation of the FFM report. Months later I was informed that nothing would be done, as this was now seen as outside the scope of the activities of the Office of Internal Oversight.

32. All the initiatives listed in paragraph 31 above, were aimed at identifying what, in the view of the inspectors from the Douma FFM team, had gone wrong, and correcting it. There were three elements to my request: (i) an internal (closed) briefing for the members of the Douma FFM team with the drafters of the FFM report, where the drafters would explain what new information had been provided or new analysis conducted, that had turned around the situation from what had appeared to be clear at the end of deployments to Douma; (ii) an internal meeting to bring the “three experts” who had performed the engineering analysis quoted in the FFM report, to establish how they had arrived at their conclusions and compare this with the approach of the engineering analysis performed by me (and the external institutions). This would be a technical discussion, comparing the information and inputs used and methodology applied, and interpretation of results, and would very quickly identify any flawed approaches and would help clarify the situation; (iii) an internal investigation into the management practices that had been used for controlling the FFM work, in particular the complete exclusion of team members who had deployed to Douma, to establish to what extent this may have compromised the integrity and quality of work.

33. Throughout this period, I acknowledged there was a possibility that I could be wrong, but stressed that I was not the only one with concerns. Investigating the situation would bring things to light and potentially defuse the situation.

34. All requests were denied. Whilst many in management were shocked and concerned, and all expressed sympathy with my concerns, the responses I received included “this is too big”; “it’s too late now”; “this would not be good for the TS reputation”; “don’t make yourself a martyr”; and “but this would play into the Russian narrative”.

35. During March 2019 I was invited to provide an informal briefing on my role in the Douma FFM to the newly-established Investigation and Identification Team (IIT). I was informed that whilst their team at that stage consisted only of the newly-appointed Director/Head of IIT and internally-appointed (or seconded) team members from the TS, they nevertheless wished to “get started” on the work facing them. At the start of the briefing I asked the Head of IIT, Santiago Onate, whether he could confirm they had the clearance to discuss and receive FFM confidential information, and he confirmed this. I asked what they wished to know, and he replied “everything”. I subsequently provided the briefing and handed over an official copy of the Douma engineering summary. This was the only remaining official copy, as I had printed only two, and the other one was the one removed from the Document Registry by the Head of Operations, who had secured it until it was reclaimed and destroyed by me.

36. After this, in one of the meetings I had with management, I was invited to hand over the engineering summary (which the IIT already had received from me) and all other materials, including electronic media, in my possession related to the Douma FFM and engineering assessment, to the IIT. This was done on 29 March 2019. After the handover, all laptops, hard drives and other electronic media in my possession that had been used for the Douma FFM engineering work, was impounded by officers from the Office of Confidentiality and Security.

37. At this stage, the FFM engineering summary had still not been provided to the FFM team leader or Head of FFM. They were aware of its existence but had not been allowed access to the document.

38. On 13 May 2019 I was informed that a review version of the engineering summary had been posted on the internet. I was shocked to find out that it had my name and hand-written notes on it. I had not been informed by anyone that this was going to be done.

39. On 14 May 2019 the TS Media and Public Affairs released a statement in which it was said “Henderson was never a part of the FFM”, which seemed to us (the Douma team) to be either a mistake or an unwise approach to try and discredit the engineering summary. I sent an email to the Media Branch, copied to relevant persons in management, requesting that this error be corrected in any subsequent communications.

40. The following day, 15 May 2019, I was suspended from duty and escorted by Security from the OPCW building. The suspension was related to “your conduct in connection with the possible unauthorised production and/or release of a document regarding the Secretariat’s Douma investigation”, for which an investigation was to be initiated. This ended my twelve years of service with the OPCW.

### **Summary and the Author’s Recommendation**

41. In summary, it appears to me (and a number of other inspectors, including the Douma team members) that the post-mission analysis and reporting on the Douma investigation was controlled in order to reach the conclusions that were reflected in the FFM report. That, however, is a perception, and while supported by extensive circumstantial facts, is not the key to my concern. I shall limit myself to facts and transparent, peer-reviewed technical work. The facts shall speak for themselves. I, and others, concluded an extensive, transparent and professional engineering study, the results of which are summarised in the engineering summary document. There is extensive background material, some of which has been shared with the IIT, that describes the data, information, assumptions, inputs, methodology and results from this work. The work was carried out by reputable international experts and by those best-qualified in the TS to contribute, and was reviewed by Douma FFM team members and other qualified persons. The results are, in my view and in the view of the expert institutions, very clear and technically indisputable.

42. However, it is the method of scientific rigour that dictates that one side cannot profess to be the sole owner of the truth. It should follow the tried and tested method of scientific debate and peer review, leading to consensus. This requires the three “independent experts” to present and defend their work in a scientific/engineering forum, together with the same from myself. This should lead to an understanding of the differences and, hopefully, lead to consensus. Should consensus not be reached, the next stage would be to assemble a panel of agreed impartial, suitably-qualified experts to assess the two competing views and to make a judgement. I have no doubt that this would successfully clarify what happened in Douma on 7 April 2018.

43. Footnote for UNSC delegations: The author should point out that he was the inspection team leader designated to develop the strategy and approach for the inspections of the SSRC facilities at Barzah and Jamrayah. He conducted the first inspections in February/March 2017, the second series in November 2017, and the third (after destruction of the Barzah SSRC laboratory complex) in November 2018.

*The statement above is a true and factual reflection of the situation, to the best of my recollection.*

Ian Henderson

المرفق الرابع للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

**To:** António Guterres, United Nations Secretary-General

**From:** The Courage Foundation

Your Excellency,

This letter is written on behalf of the Courage Foundation and members of the Organisation for the Prohibition of Chemical Weapons (OPCW) Fact Finding Mission (FFM) to Douma. The Courage Foundation is an international organization supporting those who risk life and liberty to make significant contributions to the historical record.

In October a panel was convened at which a member of the OPCW Douma FFM briefed a panel of eminent persons including José Bustani, the first Director General of the OPCW. The panel concluded that ‘unacceptable practices’ involving suppression of information aimed at reaching a ‘preordained conclusion’ had occurred during the Douma investigation. A summary of the panel findings can be found in the attached ‘panel statement and ‘analytical points’.

This was followed by an open letter addressed to all permanent representatives of the OPCW in time for the November Conference of States Parties and which was signed by eminent scholars and experts including Professor Noam Chomsky, Hans von Sponeck and Oliver Stone. The letter called upon the OPCW to allow ‘all members of the FFM team to speak freely and without risk of censure. The letter is also attached.

Since then, many documents have been released into the public domain by *Wikileaks* which confirm the Courage Foundation Panel findings. These documents evidence the exclusion and intimidation of FFM investigators and, most importantly, compelling evidence that chemistry, toxicology, ballistics and witness testimony were suppressed and/or manipulated in order to suggest a chemical weapon attack had occurred at Douma. There is now very clear evidence in the public domain that raises substantive doubts over what actually happened at Douma and how dozens of innocent civilians were killed. Further investigation and explanation of this possible war crime are essential. In addition to extensive non-Western and independent media attention to the issue, the story has also been covered by some Western media.

Despite all of these disclosures, driven by the brave actions of OPCW investigators attempting to tell the truth to the world, the OPCW Director General Arias has refused to even discuss the issues raised with FFM team members. We consider his continued refusal to address the problems with the Douma FFM, and in the face of overwhelming evidence, to be a remarkable dereliction of his duty.

The Courage Foundation, on behalf of the OPCW inspectors who have spoken out, call upon you to intervene in order to establish the truth of what happened in Douma and to restore the credibility of the OPCW by addressing the manifest problems and ending the cover up currently being conducted by OPCW senior management.

Respectfully,

The Courage Foundation and on behalf of concerned members of the Douma FFM team.



المرفق الخامس للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

**18 November 2019**

Dear Permanent Representative,

We are writing in order to bring to your attention the recent meeting of the Courage Foundation Panel held in October 2019 and to ask for your support in taking action at the forthcoming CSP aimed at restoring the integrity of the OPCW and regaining public trust. The Courage Foundation is an international organisation that supports those who risk life or liberty to make significant contributions to the historical record.

The Courage Foundation Panel heard testimony and saw documentation from an OPCW official who was a member of the team investigating the alleged chemical weapon attack in Douma, Syria, April 2018. The panel, comprised of eminent individuals including José Bustani (the first Director General of the OPCW), Professor Richard Falk (Professor of International Law at Princeton and former UN Special Rapporteur) and Dr Helmut Lohrer (International Physicians for the Prevention of Nuclear War), was unanimous in finding that ‘unacceptable practices’, involving suppression of information aimed at reaching a ‘preordained conclusion’, had occurred during the Douma investigation. Substantive concerns were raised regarding the credibility of the report, specifically with respect to toxicology and ballistics assessments, as well as the use and interpretation of witness testimonies. Suppression of internal debate and questioning within the investigation team appears to have been systematic. The full statement and accompanying analytical points can be found at <https://couragefound.org/?s=OPCW> and <https://wikileaks.org/opcw-douma/>.

The deliberations of the Courage Foundation Panel occurred against the backdrop of existing public controversy following the leaking in May 2019 of an engineering report authored by OPCW official Ian Henderson which reached very different conclusions from the official final OPCW report. In this regard, the Courage Foundation Panel noted that little consideration had been given in the final OPCW report to alternative hypotheses on how the alleged chlorine munitions came to be found in the two apartment buildings.

In view of the current disclosures, and the questions inevitably raised with respect to the integrity and credibility of OPCW FFM investigations, the Panel has called on the OPCW to ‘permit all inspectors who took part in the Douma investigation to come forward and report their differing observations in an appropriate forum of the States Parties to the Chemical Weapons Convention’.

We believe this request is eminently reasonable and indeed an essential step toward both establishing the truth of what happened in Douma and restoring public trust in the OPCW. If the organization is to faithfully implement the Chemical Weapons Convention, proper accountability and transparency of process are now required.

We hereby call on you to support the Panel’s request and facilitate efforts to allow all members of the FFM team to speak freely and without risk of censure at an appropriate forum.

Yours Sincerely,

**José Bustani**, Ambassador of Brazil, first Director General of the OPCW and former Ambassador to the United Kingdom and France

**William Binney**, former technical director at NSA (US National Security Agency)

**George Carey**, former Archbishop of Canterbury

**Noam Chomsky**, Professor Emeritus, MIT (Linguist, Philosopher and Public Intellectual)

**Alain Chouet**, former chief of the Security Intelligence Service within the French external intelligence service (DGSE)

**Marcello Ferrada de Noli**, Professor Emeritus, former head Research group Cross-cultural Injury Epidemiology, Karolinska Institute. Chair Swedish Doctors for Human Rights – SWEDHR

**Anne Gazeau-Secret**, former French Ambassador, The Hague

**Katharine Gun**, former GCHQ (UKGOV), Whistleblower

**John Kiriakou**, Former CIA Officer and Former Senior Investigator, US Senate Committee on Foreign Relations

**Annie Machon**, former MI5 Officer, UK Security Services

**Ray McGovern**, former CIA analyst and presidential briefer; co-founder of Veteran Intelligence Professionals for Sanity (VIPS) and of Sam Adams Associates for Integrity in Intelligence; former Army Infantry/Intelligence officer

**John Pilger**, Journalist and documentary film maker

**Theodore Postol**, Professor Emeritus of Science, Technology and National Security, MIT

**Scott Ritter**, UNSCOM Weapons Inspector 1991-1998

**Coleen Rowley**, retired FBI agent and former Minneapolis Division Legal Counsel, 9-11 whistleblower and a 2002 Time Magazine Person of the Year

**Hans von Sponeck**, former UN Assistant Secretary-General and UN Humanitarian Coordinator (Iraq)

**Oliver Stone**, Film Director, Producer and Writer

*Courage Foundation Panel Members:*

**Richard Falk**, Professor of International Law, Emeritus, Princeton University; Visiting Professor, Istinye University, Istanbul

**Kristinn Hrafnsson**, editor-in-chief, Wikileaks

**John Holmes**, Maj Gen (ret'd), DSO OBE MC

**Dr. Helmut Lohrer**, MD, Board member of International Physicians for the Prevention of Nuclear War (IPPNW) and International Councilor of its German affiliate

**Prof. Dr. Guenter Meyer**, Centre for Research on the Arab World (CERAW) at the University of Mainz

**Elizabeth Murray**, former Deputy National Intelligence Officer for the Near East, National Intelligence (ret'd); member, Veteran Intelligence Professionals for Sanity and Sam Adams Associates for Integrity in Intelligence

This letter is supported by members of the OPCW Douma Fact-Finding Mission

cc: Office of the Director General, OPCW

المرفق السادس للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

### **Panel Criticizes ‘Unacceptable Practices’ in the OPCW’s investigation of the Alleged Chemical Attack in Douma, Syria on April 7th 2018**

The Courage Foundation convened a panel of concerned individuals from the fields of disarmament, international law, journalism, military operations, medicine and intelligence in Brussels on October 15th. The panel met with a member of the investigation team from the Organisation for the Prohibition of Chemical Weapons (OPCW), the international chemical watchdog. On this basis the panel issued the following statement:

Based on the whistleblower’s extensive presentation, including internal emails, text exchanges and suppressed draft reports, we are unanimous in expressing our alarm over unacceptable practices in the investigation of the alleged chemical attack in Douma, near the Syrian capital of Damascus on 7 April 2018. We became convinced by the testimony that key information about chemical analyses, toxicology consultations, ballistics studies, and witness testimonies was suppressed, ostensibly to favor a preordained conclusion.

We have learned of disquieting efforts to exclude some inspectors from the investigation whilst thwarting their attempts to raise legitimate concerns, highlight irregular practices or even to express their differing observations and assessments – a right explicitly conferred on inspectors in the Chemical Weapons Convention, evidently with the intention of ensuring the independence and authoritativeness of inspection reports.

However belatedly, we therefore call on the OPCW to permit all inspectors who took part in the Douma investigation to come forward and report their differing observations in an appropriate forum of the States Parties to the Chemical Weapons Convention, in fulfillment of the spirit of the Convention. They should be allowed to do this without fear of reprisal or even censure.

The panel advances these criticisms with the expectation that the OPCW will revisit its investigation of the Douma incident, with the purpose of clarifying what actually happened. This would help to restore the credibility of the OPCW and work towards demonstrating its legally mandated commitment to transparency, impartiality and independence. It is of utmost importance to restore trust in the verification procedures relied upon to implement the prohibitions of the CWC.

#### **Panel members:**

José Bustani, Ambassador of Brazil, first Director General of the OPCW and former Ambassador to the United Kingdom and France,

Richard Falk, Professor of International Law, Emeritus, Princeton University; Visiting Professor, Istinye University, Istanbul

Kristinn Hrafnsson, editor-in-chief, Wikileaks

John Holmes, Maj Gen (retd), DSO OBE MC

Dr. Helmut Lohrer, MD, Board member of International Physicians for the Prevention of Nuclear War (IPPNW) and International Councilor of its German Affiliate

Prof. Dr. Guenter Meyer, Centre for Research on the Arab World (CERAW) at the University of Mainz

Elizabeth Murray, former Deputy National Intelligence Officer for the Near East, National Intelligence (ret'd); member, Veteran Intelligence Professionals for Sanity and Sam Adams Associates for Integrity in Intelligence (website: [www.samadamsaward.ch](http://www.samadamsaward.ch))

المرفق السابع للرسالتين المتطابقتين المؤرختين 4 شباط/فبراير 2020 الموجهتين إلى الأمين العام ورئيس مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالإنكليزية]

**Quotes from José Bustani, First Director General OPCW and former Ambassador to the United Kingdom and France**

*“The convincing evidence of irregular behaviour in the OPCW investigation of the alleged Douma chemical attack confirms doubts and suspicions I already had. I could make no sense of what I was reading in the international press. Even official reports of investigations seemed incoherent at best. The picture is certainly clearer now, although very disturbing”*

*“I have always expected the OPCW to be a true paradigm of multilateralism. My hope is that the concerns expressed publicly by the Panel, in its joint consensus statement, will catalyse a process by which the Organisation can be resurrected to become the independent and non-discriminatory body it used to be.”*

**Analytical Points**

*1. General*

A critical analysis of the final report of the Douma investigation left the panel in little doubt that conclusions drawn from each of the key evidentiary pillars of the investigation (chemical analysis, toxicology, ballistics and witness testimonies,) are flawed and bear little relation to the facts.

*2. Chemical Analysis*

Although biomedical analyses supposedly contributed to the conclusions of the report (para 2.17), the same report is unequivocal in stating that “no relevant chemicals were found” in biological samples (Table A5.2).

The interpretation of the environmental analysis results is equally questionable. Many, if not all, of the so-called ‘smoking gun’ chlorinated organic chemicals claimed to be “not naturally present in the environment” (para 2.6) are in fact ubiquitous in the background, either naturally or anthropogenically (wood preservatives, chlorinated water supplies etc). The report, in fact, acknowledges this in Annex 4 para 7, even stating the importance of gathering control samples to measure the background for such chlorinated organic derivatives. Yet, no analysis results for these same control samples (Annex 5), which inspectors on the ground would have gone to great lengths to gather, were reported.

Although the report stresses the ‘levels’ of the chlorinated organic chemicals as a basis for its conclusions (para 2.6), it never mentions what those levels were – high, low, trace, sub-trace? Without providing data on the levels of these so-called ‘smoking-gun’ chemicals either for background or test samples, it is impossible to know if they were not simply due to background presence. In this regard, the panel is disturbed to learn that quantitative results for the levels of ‘smoking gun’ chemicals in specific samples were available to the investigators but this decisive information was withheld from the report.

The final report also acknowledges that the tell-tale chemicals supposedly indicating chlorine use, can also be generated by contact of samples with sodium hypochlorite,

the principal ingredient of household bleaching agent (para 8.15). This game-changing hypothesis is, however, dismissed (and as it transpires, incorrectly) by stating no bleaching was observed at the site of investigation. (“*At both locations, there were no visible signs of a bleach agent or discoloration due to contact with a bleach agent*”). The panel has been informed that no such observation was recorded during the on-site inspection and in any case dismissing the hypothesis simply by claiming the *non*-observation of discoloration in an already dusty and scorched environment seems tenuous and unscientific.

### 3. Toxicology

The toxicological studies also reveal inconsistencies, incoherence and possible scientific irregularities. Consultations with toxicologists are reported to have taken place in September and October 2018 (para 8.87 and Annex 3), but no mention is made of what those same experts opined or concluded. Whilst the final toxicological assessment of the authors states “*it is not possible to precisely link the cause of the signs and symptoms to a specific chemical*” (para 9.6) the report nonetheless concludes there were reasonable grounds to believe chlorine gas was the chemical (used as a weapon).

More worrying is the fact that the panel viewed documented evidence that showed other toxicologists had been consulted in June 2018 prior to the release of the interim report. Expert opinions on that occasion were that the signs and symptoms observed in videos and from witness accounts were not consistent with exposure to molecular chlorine or any reactive-chlorine-containing chemical. Why no mention of this critical assessment, which contradicts that implied in the final report, was made is unclear and of concern.

### 4. Ballistic studies

The unauthorised disclosure of the Engineering Assessment in May 2019 of the two munitions found at Locations 2 and 4, and subsequently acknowledged by the Director General as bona-fide, revealed the diametrically opposing views of inspectors within the FFM team. Although the panel does not have the technical competence to judge the merits of the contradicting studies (i.e. the study described in the final report versus the leaked engineering report), it was surprised by how little consideration was given to alternative hypotheses in the final report.

One alternative ascribing the origin of the crater to an explosive device was considered briefly but, despite an almost identical crater (understood to have resulted from a mortar penetrating the roof) being observed on an adjacent rooftop, was dismissed because of “*the absence of primary and secondary fragmentation characteristics*”. In contrast, explosive fragmentation characteristics *were* noted in the leaked study.